Matthew J. Peirce, LLC
330 South 3rd St. #1005
Las Vegas, NV 89101

Matthew J. Peirce, Esq.*

*Registered Before the U.S. Patent and Trademark Office

Phone: (702) 366-9990
Facsimile: (702) 366-9991

June 21, 2002

Ifim Postel
8224 Bay Parkway #51
Brooklyn, NY 11214

Re: Legal Protection Report
Invention: "Dream of Life"
Case No.: 14148

Dear Mr. Postel,

Pursuant to your request, this legal protection report and novelty search for the above-identified invention has been conducted through the available official files and records of the United States Patent and Trademark Office. We have been informed by Advent Product Development that you are contemplating engaging them to market and submit your invention to industry in an attempt to secure a licensing agreement. With this information in mind, and pursuant to your request, this report will outline for you the most efficient manner in which you can obtain the greatest available protection for your invention so that marketing may commence as soon as possible.

DESCRIPTION OF THE INVENTION

The intent of this research was to locate issued United States patents disclosing the concept as described in your provided disclosure. Additionally, to a reasonable extent, the search was expanded to encompass other possible modifications and enhancements to both the functional and ornamental features of the invention, thereby hopefully providing a broad indication of the current state of the art.

OBJECTIVE OF THE SEARCH

The objective of any patent novelty search is to discover issued "prior art" United States patents which are similar to the invention being investigated so that a judgment can be made as to the potential for obtaining patent protection. Basically, there are three main types of patents, i.e. utility patents, provisional patents, and design patents.

A **utility patent** protects the function (*i.e., how it works and how it is used*) of an invention and is normally pursued in those instances where it is desired to protect how the invention operates. A utility patent can be issued to any person who invents a new, useful, and non-obvious (1) process, (2) machine, (3) manufactured article, (4) composition of matter, or (5) any new and useful improvement to any of these types of inventions.

A **provisional patent** should be thought of as a temporary utility patent application in that it must be "converted" into a standard utility patent application within one year following the provisional filing. Once converted, the utility patent application receives the benefit of the earlier provisional filing date. In addition, during the pendency of the provisional patent application, the product is deemed and may be labeled "patent pending". Accordingly, the filing of a provisional patent is often recommended since it provides an additional one year "safety period" to pursue and market the invention. At the end of this one year period, all refinements and improvements which have been made to the invention should be integrated into the converted application.

A **design patent** is strictly directed to protecting the overall appearance (*i.e., how it looks*) of an invention. It can be granted for a new, original and ornamental design for an article of manufacture.

PATENTS DISCOVERED DURING THE SEARCH

I enclose herewith copies of the following United States patents which were discovered during the search and which appear to be similar or at least relevant to the functional and/or design features of your invention:

(1) U.S. Patent No. 3,633,851
Inventor(s): Marte

(2) U.S. Patent No. 5,742,336
Inventor(s): Lee

(3) U.S. Patent No. 5,875,997
Inventor(s): Al-Sabah

METHOD OF ANALYZING THE PRIOR ART PATENTS

In attempting to reach a decision regarding the potential patentability of a new invention, it is initially necessary to compare the invention to other inventions, which have already been patented, such as the inventions disclosed in the "prior art" patents listed above. The typical procedure is to look for differences in (1) structure (or composition if a chemical invention), (2) function, and (3) overall appearance. Structural and functional differences are important considerations in determining whether or not to pursue utility patent protection. A comparison of the overall appearance of the invention with respect to the prior art patents is important if design patent protection is being considered.

Structural considerations involve looking at how an invention actually works, how it is put together, what different types of parts (or ingredients) are used in its construction, and how these structural features differ from what is shown in the prior art patents. Functional considerations involve looking at what an invention does and accomplishes, i.e., what problem does it solve and does it solve the problem in a manner differently from any similar invention shown in the prior art patents.

Overall appearance involves looking at the prior art patents and subjectively deciding whether or not the searched invention has an "overall appearance" which is substantially different. If a significant difference does exist, design patent protection may be available for the invention.

There are other considerations. For example, even if no single prior art patent discloses enough information to eliminate the possibility of obtaining either utility or design

patent protection, it is still necessary to consider those situations in which the U.S. Patent and Trademark Office may attempt to "combine" the information shown in two or more patents to "build" the invention at issue. More specifically, where no single prior art patent discovered during a patentability search discloses the functional subject matter or appearance of an invention, a government patent examiner will frequently argue that someone with ordinary skill in the art is already in possession of the cumulative information and knowledge shown in two or more patents, and that this person would then know how to combine the knowledge of these several prior art patents so as to make the searched invention "obvious" and therefore unpatentable. Hopefully, this discussion should provide you with a basic understanding of how the above listed patents have been reviewed, and I invite you to discuss this search further by telephone with me if you so desire.

REVIEW OF THE PRIOR ART PATENTS AND RECOMMENDATION

A summary of my review of the prior art patents discovered during the search is provided as follows:

Several references uncovered in the search show various aircraft devices. U.S. Patent 5,875,997 Al-Sabah, appears to show an aircraft with a passenger compartment in the front end and a rearward positioned cockpit. 3,633,851 Marte, appears to show a dual control system for an aircraft capable of allowing an instructor to override the activities of a student. 5,742,336 Lee, appears to show a monitoring system for an aircraft comprised of series of video cameras places throughout including in the cockpit.

None of the references uncovered in the search, however, appear to disclose a similar construction for an aircraft with a second concealed cockpit and control system as described. The filing of a utility patent is thus, in my opinion, the best step available to protect your invention so that public disclosures (such as marketing the product to industry as you contemplate) may commence.

As the result of any analysis of prior art patents discovered during a novelty search, it should be understood that the basic concept of a searched invention may be generally

known. Additionally, I have explained how various suggested or illustrated features of a searched invention may be individually disclosed in one or more prior art patent references discovered during a search. However, in the present case, no single patent reference discloses all of the features of your invention. Since virtually every invention is essentially a *combination* of inventions, which are already known, the issue is whether a government patent examiner will eventually attempt to combine the teachings and features from the various prior art patent references so as to allege that your invention is obvious and therefore unpatentable.

SEARCH LIMITATIONS

I believe that it is important for you to understand the manner in which this search has been conducted so as to provide you with a better understanding of the strengths and weaknesses of every novelty search.

Initially, a novelty search is not an absolute measure of patentability and there can never be a guarantee that such a search is complete. This fact exists inasmuch as the United States patent system presently includes more than six million issued United States patents. These patents are arranged into broad mechanical, electrical, chemical and design categories which are then further subdivided into classes and subclasses covering different areas of technology, resulting in each patent being potentially classified and cross-classified within one or more of approximately 135,000 different technology classification areas. More than fourteen hundred government patent examiners are involved in the classification process, and their opinions vary widely as to prior areas of classification for patents.

This search was conducted by a professional patent searcher employed exclusively by this law firm who initially decided which classes and subclasses were relevant to the subject matter of your invention, thus allowing him to determine the pertinent search areas, and he then compared the patents classified in those search areas to your invention. Usually, a patent search involves a very detailed analysis to arrive at the proper classification area for the search and frequently necessitates the review of hundreds of patents before the search is

completed. Any new patents issued after the date of the search, or not currently on file at the time of the search, will obviously not be detected. A patent issued after the search but having been filed as an application before the search can be used by a patent examiner as prior art.

As can now be appreciated, it is exceedingly difficult to be more than reasonably certain that the most pertinent patent art has been located. The search is limited by the human error factor, the possibility of missing patent references, and the considerations of time and expense. Accordingly, while a reasonable effort has been made to assure the reliability of the present search, no such search can be absolutely conclusive. Even in spite of these factors, these searches are generally reliable and often reveal prior art that establishes the non-patentability of an invention if such prior art should in fact exist.

If I can be of further service, please feel free to contact me via e-mail at Attorneydude@aol.com.

Sincerely,

Matthew Peirce
Registered Patent Attorney
Registration #41,245

DISCLOSURE DOCUMENT NO.

503729

RETAINED FOR 2 YEARS

THIS IS NOT A PATENT APPLICATION

PTO-1652 (8/99)

Approved for use
U.S. Patent and Trademark Office;

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it

Disclosure Document Deposit Request

Mail to:

Box DD
Assistant Commissioner for Patents
Washington, DC 20231

Inventor(s): IFIM I. Postel

Title of Invention: System which guarantee Safety flights

Enclosed is a disclosure of the above-titled invention consisting of 2 sheets of description and _____ sheets of drawings. A check or money order in the amount of $10 is enclosed to cover the fee (37 CFR 1.21(c)).

The undersigned, being a named inventor of the disclosed invention, requests that the enclosed papers be accepted under the Disclosure Document Program, and that they be preserved for a period of two years.

Signature of Inventor

8224 Bay Pkwy 5J
Address

Ifim I. Postel
Typed of printed name

Brooklyn

12 21 01
Date

NY 11214
City, State, Zip

NOTICE OF INVENTORS

It should be clearly understood that a Disclosure Document is not a patent application, nor will its receipt date in any way become the effective filing date of a later filed patent application. A Disclosure Document may be relied upon only as evidence of conception of an invention and a patent application should be diligently filed if patent protection is desired.

Ifim I. Postel 1-108/210 0132

DATE 12 21 01

PAY TO THE ORDER OF Assistant Commissioner for Patent $ = 10 00

ten DOLLARS

HSBC
HSBC Bank USA

FOR Disclosure Doc.

⑈021001088⑈ 050719211⑈ 0132

Patent and Trademark
hin the two-year period.
a separate letter filed in
wo-year period, it is not

wait to file his/her patent
an affidavit or testimony
ng the patent application

actice" under the patent
nt registered to practice
Patent and Trademark
agents are also listed in
may be consulted.

anywhere in the world
f a patent on it.

examples of evidence

There is a nationwide network of Patent and Trademark Depository Libraries (PTDLs), which have collections of patents and patent-related reference materials available to the public, including automated access to USPTO databases. Publications such as *General Information Concerning Patents* are available at the PTDLs, as well as the USPTO's Web site at www.uspto.gov. To find out the location of the PTDL closest to you, please consult the complete listing of all PTDLs that appears on the USPTO's Web site or in every issue of the Official Gazette, or call the USPTO's General Information Services at 800-PTO-9199 (800-786-9199) or 703-308-HELP (703-308-4357). To insure assistance from a PTDL staff member, you may wish to contact a PTDL prior to visiting to learn about its collections, services, and hours.

Burden Hour Statement: This collection of information is used by the public to file (and by the USPTO to process) Disclosure Document Deposit Requests. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed Disclosure Document Deposit Request to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

May 2, 2002

Ifim I. Postel
Apartment 5J
8224 Bay Parkway
Brooklyn, NY 11214

Dear Ifim I. Postel:

Thank you for your February 27th communication to the FBI regarding airport security in the wake of the terrorist attacks of September 11, 2001. Unfortunately, due to the curtailment of mail services in Washington, D.C., it was just recently received.

On February 17, 2002, civil aviation security functions and responsibilities formerly performed by the Federal Aviation Administration were transferred to the newly established Transportation Security Administration (TSA). The FBI understands your concerns and is working closely with the TSA to ensure the protection of airline passengers and crew. Since the TSA is responsible for airline security, I am forwarding a copy of your communication to that agency at the address below.

I want to assure you that the FBI is working around the clock to determine the full scope of the September 11th terrorist acts, to identify all of those involved in planning, executing, and assisting in the commission of these acts, and to bring those responsible to justice. In addition, Director Mueller is clear that the FBI's first priority is to prevent the occurrence of any additional terrorist acts. Please be assured that the FBI is committed to this effort.

Sincerely yours,

Nancy Bronstein

Nancy Bronstein
Unit Chief
Office of Public and
Congressional Affairs

1 - Transportation Security Administration - Enclosure
400 Seventh Street, SW
Washington, DC 20590